

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

464C0469

HOUSE STATE AFFAIRS COMMITTEE

ENGROSSED NO. **SB149** - 2/25/99

Introduced by: Senators Halverson, Dennert, Dunn (Jim), Everist, Moore, Shoener, and  
Symens and Representatives Cutler, Broderick, Chicoine, and Jaspers

1 FOR AN ACT ENTITLED, An Act to require the establishment of a cost recovery method or  
2 mechanism for telecommunication companies to recover the cost of certain mandated  
3 services and to revise certain provisions regarding dialing parity.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That chapter 49-31 be amended by adding thereto a NEW SECTION to read as  
6 follows:

7 Any decision or order by any agency which requires the provision of telecommunications  
8 services, in excess of voice grade local exchange service, shall establish a cost recovery method  
9 or mechanism to ensure that the telecommunications company will be able to recover the cost  
10 of the investment or expense in a period not to exceed ten years, from the services that result  
11 from such mandate. These costs may be recovered either regionally or statewide at the discretion  
12 of the agency. This section does not affect any decision or order made by any agency to comply  
13 with 47 U.S.C. § 251 as of January 1, 1999.

14 Section 2. That § 49-31-87 be amended to read as follows:

15 49-31-87. Dialing parity, as defined in 47 U.S.C. § 153(15) as of January 1, 1998, for  
16 purposes of intraLATA long distance telecommunications services, ~~may not~~ shall be implemented

1 by any local exchange carrier serving more than two hundred thousand retail access lines by  
2 order of the commission ~~until all providers of toll services are authorized to provide interLATA~~  
3 ~~services which originate in this state~~ on January 1, 2000.

1    **BILL HISTORY**

2    1/26/99 First read in Senate and referred to State Affairs. S.J. 196

3    2/8/99 Scheduled for Committee hearing on this date.

4    2/8/99 State Affairs Do Pass Amended, Passed, AYES 5, NAYS 3. S.J. 362

5    2/8/99 Scheduled for Committee hearing on this date.

6    2/10/99 Motion to Amend, Passed. S.J. 431

7    2/10/99 Senate Do Pass Amended, Passed, AYES 29, NAYS 6. S.J. 432

8    2/11/99 First read in House and referred to State Affairs. H.J. 490

9    2/19/99 Scheduled for Committee hearing on this date.

10   2/22/99 Scheduled for Committee hearing on this date.

11   2/24/99 Scheduled for Committee hearing on this date.

12   2/24/99 State Affairs Do Pass Amended, Passed, AYES 9, NAYS 4. H.J. 733